

3.2.7.1 Overview of the Permit/Site Specific Permits/Effluent Limits/Interim Effluent Limits

Applicability:

This outlines when interim effluent limits are appropriate, common approaches to their development, and the need for accompanying schedules of compliance.

Content:

Interim effluent limits are established in a permit when a facility cannot meet final effluent limits at the time the permit is drafted. This is most often due to the existing technology being unable to meet the new water quality based effluent limitations, but can also be due to changes that must be made to operation and maintenance practices. When interim limits are established, they must be accompanied by a schedule that sets forth compliance steps or milestones and dates for achievement of compliance with final effluent limits. Interim limits and a schedule of compliance cannot be granted for technology based limits, or for water quality based effluent limits for which the facility is already in compliance.

Commonly, interim limits placed in a permit are based on the existing technological capability of the treatment facility under current or near-future loading conditions. The interim limits may also be based on the best professional judgment of the permit writer if it is believed that technological or operational factors could positively impact effluent quality during the period until final effluent limits are in effect.

Interim limits reflect data and information drawn from discharge monitoring reports, inspections, compliance sampling by the department, and stream surveys if available.

Interim limits placed in a permit must be accompanied by a schedule of compliance that conforms with the provisions of 10 CSR 20-6.010(7). Paragraph (B) of this section states, "If any permit allows a time for achieving final compliance from the date of permit issuance, the schedule of compliance in the permit shall set forth interim requirements and the dates for their achievement." Other provisions of this section of the regulations require achieving final compliance as soon as practicable and specify reporting requirements related to the interim requirements and schedule milestones.

Legal References:

Missouri Clean Water Law, Chapter 644

644.026.1(13), (15) and (17)

644.051.3 & 4

Code of State Regulations:

10 CSR 20-6.010(7)

10 CSR 20-6.010(8)(A)2

